IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT NO.3193 OF 1996

Rajesh Y. Shenoy. ...Plaintiff
V/s.
Mr.A. Krishnand Rao & Ors. ...Defendants

Mr.V.R. Tripathi for Plaintiff.
None for Defendants.

CORAM : A.S. AGUIAR, J.
DATED : SEPTEMBER 22, 2004.

P.C. :-

1. Mr.Tripathi appears for plaintiffs. None for defendants. By order dated 27th November, 2002, suit is transferred to the list of Undefended Suits so far as defendant no.1 is concerned as no written statement is filed by defendant no.1. By further order dated 22nd January, 2003, the suit is transferred to the list of Undefended Suits as Defendants no.2 and 3 have not filed written statements. It transpires that defendant no.2 has expired and his name has been deleted from the pleadings.

2. Plaintiffs files affidavit of examination-in-chief as well as compilation of documents

alongwith the originals and xerox copies of the same. In the absence of the written statement on behalf of defendants, the suit is required to be decreed under Order Rule VIII Rule 10. Hence, there shall be decree in terms of prayer clauses (a), (b), (c) and (d). No order as to costs.

3. Suit to stand disposed of.

4. Learned Advocate for plaintiffs is allowed to take back the original documents on usual undertakings.

(A.S. AGUIAR, J.)